

Message

From: Stern, Allyn [Stern.Allyn@epa.gov]
Sent: 10/23/2018 1:51:00 PM
To: Weber, Courtney [Weber.Courtney@epa.gov]
CC: Steiner-Riley, Cara [Steiner-Riley.Cara@epa.gov]
Subject: Fwd: 316(b) briefing paper

Thanks so much Courtney! I really appreciate how you jumped on this to organize it. Dan is really feeling pressed to get an answer as soon as we can.

Allyn Stern
Regional Counsel
US EPA Region 10
206-553-1223
stern.allyn@epa.gov

Begin forwarded message:

From: "Levine, MaryEllen" <levine.maryellen@epa.gov>
Date: October 23, 2018 at 6:02:16 AM PDT
To: "Stern, Allyn" <Stern.Allyn@epa.gov>, "Weber, Courtney" <Weber.Courtney@epa.gov>
Cc: "Witt, Richard" <Witt.Richard@epa.gov>, "Ramach, Sean" <Ramach.Sean@epa.gov>
Subject: RE: 316(b) briefing paper

Richard told me yesterday how helpful the re-write is. He was going to work with it this morning then send it to me . . .

David F is out Thursday and Friday – so look for a meeting invite for Monday or Tuesday.

- *Mary Ellen*

Mary Ellen Levine
Assistant General Counsel
Water Law Office, Office of General Counsel
7510 C WJC North
(202) 564-1345

From: Stern, Allyn
Sent: Tuesday, October 23, 2018 12:55 AM
To: Weber, Courtney <Weber.Courtney@epa.gov>
Cc: Levine, MaryEllen <levine.maryellen@epa.gov>; Witt, Richard <Witt.Richard@epa.gov>; Ramach, Sean <Ramach.Sean@epa.gov>
Subject: Re: 316(b) briefing paper

Ex. 5 AC/DP

Allyn Stern
Regional Counsel
US EPA Region 10

206-553-1223
stern.allyn@epa.gov

On Oct 22, 2018, at 12:48 PM, Weber, Courtney <Weber.Courtney@epa.gov> wrote:

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DELIBERATIVE PROCESS

Hi All:

After discussing with Allyn, Ex. 5 AC/DP
Ex. 5 AC/DP
Ex. 5 AC/DP Let me
know if you want to discuss, etc.

--Courtney

From: Ramach, Sean
Sent: Friday, October 19, 2018 12:29 PM
To: Weber, Courtney <Weber.Courtney@epa.gov>; Witt, Richard <Witt.Richard@epa.gov>; Levine, MaryEllen <levine.maryellen@epa.gov>; Stein, Mark <Stein.Mark@epa.gov>
Cc: Shriner, Paul <Shriner.Paul@epa.gov>; Zobrist, Marcus <Zobrist.Marcus@epa.gov>
Subject: documents

Hi,

Did a bit of looking in documents I have on history on 316(b) that might be applicable and found the attached. If you have the 1977 opinion from Richard's brief, I would like to get a copy.

I also found a mention of the SAIC report from April 1994 *"Preliminary Regulatory Development Section 316(b) of the Clean Water Act, Background Paper Number 1: Legislative, Regulatory, and Legal History of Section 316(b) and Information on Federal and State Implementation of Cooling Water Intake Structure Technology Requirements"* (April 1994). Seems it might be helpful to review.

Cheers,

Sean Ramach

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